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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,013	09/05/2003	Subhasish Mitra	ITL.0971US (P16171)	8151
21906	7590	12/19/2006	EXAMINER	
TROP PRUNER & HU, PC 1616 S. VOSS ROAD, SUITE 750 HOUSTON, TX 77057-2631			CHUNG, PHUNG M	
			ART UNIT	PAPER NUMBER
			2138	
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
30 DAYS	12/19/2006	PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary for Applications Under Accelerated Examination	Application No.	Applicant(s)	
	10/656,013	MITRA ET AL.	
	Examiner	Art Unit	
	Phung My Chung	2138	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Since this application has been granted special status under the accelerated examination program,

**NO extensions of time under 37 CFR 1.136(a) will be permitted and a SHORTENED STATUTORY PERIOD FOR
REPLY IS SET TO EXPIRE:**

ONE MONTH OR THIRTY (30) DAYS, WHICHEVER IS LONGER,
FROM THE MAILING DATE OF THIS COMMUNICATION – if this is a non-final action or a Quayle action.
(Examiner: For FINAL actions, please use PTOL-326.)

The objective of the accelerated examination program is to complete the examination of an application within twelve months from the filing date of the application. Any reply must be filed electronically via EFS-Web so that the papers will be expeditiously processed and considered. If the reply is not filed electronically via EFS-Web, the final disposition of the application may occur later than twelve months from the filing of the application.

Status

- 1) Responsive to communication(s) filed on 9/18/06.
- 2) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 3) Claim(s) 1-25 is/are pending in the application.
 - 3a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 4) Claim(s) _____ is/are allowed.
- 5) Claim(s) 1-25 is/are rejected.
- 6) Claim(s) _____ is/are objected to.
- 7) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 8) The specification is objected to by the Examiner.
- 9) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 10) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 11) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 - See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. Claims 1-25 are remain rejected under section 102(e) by Rajska et al (U.S. 2006/0041814) and claim 16 is remain rejected under section 102(e) by Mitra et al (U.S. 2003/0188269). (See paragraphs 2 and 4 of the office action dated on 6/16/06).

Response to Arguments

2. Applicant argues that the cited Rajska applicant is not prior art to the present application because the provisional application of Rajska is clear that there is no support for the material cited, namely paragraphs 66-68, in fact, the corresponding Figures 4B and 4C are not provided in that provisional application.

Examiner disagrees with applicant because the cited Rajska application is still consider as prior art for at least claim 16 of the present application, see paragraph 48 of Rajska which is supported by the provisional application of Rajska, see section "2. FFS compactor".

Note that claim 16 is also rejected under section 102(e) by Mitra et al (U.S. 2003/0188269) but applicant did not mention any thing about this rejection.

Therefore, the Remarks dated on 9/18/06 is consider as Non-Responsive Amendment. Applicant is given One Month to response from the mailing date of this communication.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phung My Chung whose telephone number is 571-272-3818. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decay can be reached on 571-272-3819. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Phung My Chung
Primary Patent Examiner
Art Unit 2138